

REMARKS

Claims 1 - 23 are pending in the present application.

In the Office Action, claims 1 – 23 are rejected under 35 U.S.C. 112, first paragraph, with an assertion that the claims contain subject matter that was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. Applicant respectfully disagrees with this assertion.

Claim 1 provides a method for enhancing source code. The method includes (a) recognizing an occurrence in the source code, of a first instruction to access a permanent file, and (b) supplementing the source code with a second instruction to access a memory file instead of the permanent file.

The Office Action notes that the specification uses C/C++ as an example of a high-level programming language of source code instructions. The Office Action then asserts that one of ordinary skill in the art would not be enabled to use high-level instructions to manipulate low-level memory operations, and that high-level instructions do not manipulate low-level memory operations.

Applicant submits that manipulating a memory file is a file operation, not a low-level memory operation. The specification at page 9, line 15 – page 10, line 28, with reference to FIG. 3A, provides a detailed description of the process by which the memory file is created and utilized. Thus, (a) claim 1 does not require use of high-level instructions to manipulate low-level memory operations, as asserted by the Office Action, and (b) the specification adequately enables one skilled in the art to make and/or use the subject matter of claim 1.

The Office Action further asserts that the specification makes use of "fopen" as an example of a presumable memory instruction, but that the argument of the example "fopen" is unknown.

Applicant submits that "fopen" is a basic function of the C/C++ programming languages. As such, a person of ordinary skill in the art of C/C++ programming would understand the use of "fopen", and would readily know, or easily find, its argument format. Accordingly, a person skilled in the art

would also understand the significance and effect of utilizing "fopen" with the parameter "type = memory", as explained in the specification at page 7, line 31 – page 8, line 13. Moreover, the specification includes other examples and descriptions of the use of "fopen", e.g., page 14, lines 10 – 21. Thus, Applicant submits that specification adequately describes the use and format of "fopen."

The application contains six independent claims, namely claims 1, 9, 10, 16, 17 and 23. Above, Applicant explains that the specification adequately enables one skilled in the art to make and/or use the subject matter of claim 1. With regard to the section 112 rejection, claim 1 is representative of all of the independent claims. Thus, Applicant submits that the specification is enabling of all of claims 1, 9, 10, 16, 17 and 23.

Claims 2 – 8 depend from claim 1. Claims 11 – 15 depend from claim 10. Claims 18 – 22 depend from claim 17. The Office Action does not present any further issues with regard to the recitals of the dependent claims.

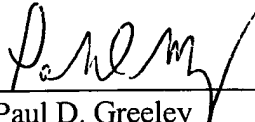
Applicant respectfully requests reconsideration and withdrawal of the section 112 rejection of claims 1 – 23.

In view of the foregoing, Applicant respectfully submits that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicant respectfully requests favorable consideration and that this application be passed to allowance.

Respectfully submitted,

Date

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